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16 JUN 1959

Honorable Maurice H. Stans
Director
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Stans:

The Senate Judiciary Committee has formally requested our views on S. 1489, a bill "To amend title 28 of the United States Code to provide for certain judicial review of administrative removals and suspensions of Federal employees."

As noted in the enclosed proposed report, it is our view that this bill could be construed so as to authorize a review on the merits by the United States District Courts in all cases of suspensions of civilian employees of the Government without regard to the basis for the determination to suspend or separate. If so construed this bill would pose a number of technical legal problems which would be applicable to all departments and agencies.

In addition, this bill could be construed so as to qualify the authority granted the Director of Central Intelligence under section 102(c) of the National Security Act of 1947, as amended.

It is our position that other agencies of the Government should comment on problems of general applicability. However, the effect which this bill might have upon the Director's authority to terminate employees of the Agency in the national interest is of particular concern to this Agency. We would be interested in the reports of other departments and agencies on this bill as they are cleared by the Bureau of the Budget.

Advice is requested as to whether there is any objection to submission of the enclosed report to the Congress.

Sincerely,

s/ Lawrence R. Houston

Lawrence R. Houston
General Counsel

Enclosure

Director of Personnel

cc: Comptroller

Legislative Counsel *chrono*
subject

OGC:LC:GLC:mmf:jeb